

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2274 Session of
2008

INTRODUCED BY KING, MUNDY, McCALL, DeWEESE, ADOLPH, BELFANTI,
BENNINGTON, BOYD, BRENNAN, CARROLL, DALEY, FAIRCHILD,
FREEMAN, GEORGE, GIBBONS, GRUCELA, HARHAI, HARKINS, HERSHEY,
HORNAMAN, JAMES, JOSEPHS, KORTZ, KULA, LEACH, LENTZ,
LONGIETTI, MILNE, MURT, M. O'BRIEN, O'NEILL, PALLONE,
PASHINSKI, PETRARCA, QUINN, RAMALEY, RUBLEY, SAINATO, SAYLOR,
SCAVELLO, SEIP, SOLOBAY, THOMAS, VULAKOVICH, WALKO, WANSACZ
AND J. WHITE, FEBRUARY 28, 2008

REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,
FEBRUARY 28, 2008

AN ACT

1 Amending the act of August 26, 1971 (P.L.351, No.91), entitled
2 "An act providing for a State Lottery and administration
3 thereof; authorizing the creation of a State Lottery
4 Commission; prescribing its powers and duties; disposition of
5 funds; violations and penalties therefor; exemption of prizes
6 from State and local taxation and making an appropriation,"
7 further providing for PACE and PACENET eligibility.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 503 of the act of August 26, 1971
11 (P.L.351, No.91), known as the State Lottery Law, amended
12 November 26, 2003 (P.L.212, No.37), is amended to read:

13 Section 503. Determination of eligibility.

14 (a) The department shall adopt regulations relating to the
15 determination of eligibility of prospective claimants and
16 providers, including dispensing physicians and certified
17 registered nurse practitioners when acting in accordance with

1 rules and regulations promulgated by the State Board of Nursing
2 as required by the act of May 22, 1951 (P.L.317, No.69), known
3 as The Professional Nursing Law, and the State Board of Pharmacy
4 minimum standards of practice, and the determination and
5 elimination of program abuse. To this end, the department shall
6 establish a compliance unit staffed sufficiently to fulfill this
7 responsibility. The department shall have the power to declare
8 ineligible any claimant or provider who abuses or misuses the
9 established prescription plan. The department shall have the
10 power to investigate cases of suspected provider or recipient
11 fraud.

12 (b) Social Security cost-of-living adjustment.--
13 Notwithstanding any other provision of this act to the contrary,
14 persons who, as of December 31, 2007, are enrolled in the PACE
15 or PACENET program shall remain eligible for the PACE or PACENET
16 program if the maximum income limit is exceeded due solely to a
17 Social Security cost-of-living adjustment. Eligibility in the
18 PACE or PACENET program pursuant to this subsection shall expire
19 on December 31, 2010.

20 Section 2. This act shall take effect immediately.